

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE.**

WRIT PETITION NO. 877 OF 2001

Konark Infrastructure Pvt.Ltd. Petitioner.

versus

Ulhasnagar Municipal Corporation
and others Respondents.

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Mr. Y.S. Jahagirdar with Mr. A.A. Kumbhakoni for the
petitioner.
Mr. C.J. Sawant with Mr. R.M. Sawant for Respondents 1
to 3.
Mr. C.R.Sonawane AGP for State -respondent no.4.
NMr. V.A. Gangal for respondent no.5.

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**CORAM ; V.G.PALSHIKAR &
MRS. RANJANA DESAI, JJ.**

DATED; 23RD AUGUST, 2004.

P.C.;

1. This petition can be conveniently disposed of by
treating the demand notice dated 25-1-2001 issued by
Ulhasnagar Municipal Corporation to the petitioner is a
notice to show cause why the sum mentioned in it be not
recovered. The company has already filed a reply dated
5-2-2001 which has not been considered or decided. We
therefore direct the Corporation to take into
consideration this reply and decide the issues raised
therein. Parties shall be at liberty to raise all
points which they want to raise in relation to this

issue at the time when the notice is being decided. It would be necessary however to quash the order of attachment already passed when the Corporation is at liberty after the decision to take such steps, as are permissible under law. Petition accordingly disposed of.

2. Parties to act on an authenticated copy of this order.

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